

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Case No. 09-71355-ast

Scott A. Lake,

Chapter 11

Debtor.

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Scott A. Lake,

Adv. Proc. 09-8199-ast

Plaintiff,

-against-

James A. Ditanna, d/b/a
American Financial International Group, and
"John Does 1-10", "Mary Does 1010",
"ABC Partnerships 1-10", and/or
"XYZ Corporations 1-10" (the last four names
being names unknown to Plaintiff, and are
intended to be any other parties who are
transferors, transferees or beneficiaries of
any of the conveyed assets described in the
Complaint, and who gave no, or less than
fair, consideration for such assets.

Defendants.

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ORDER TO DISMISS ADVERSARY PROCEEDING

The Court having issued a Second Order to Show Cause, dated December 21, 2009, directing the parties to show cause on January 13, 2010 why the adversary proceeding should not be dismissed for failure of the Plaintiff to prosecute, and a hearing having been held on January 13, 2010, and the Plaintiff having appeared and advised that either an answer would be filed by Defendant or a motion for default judgment would be filed by January 18, 2010, but neither action having been taken, it is therefore

ORDERED, that the above-captioned adversary proceeding is hereby dismissed, without prejudice and without any costs.

Dated: January 28, 2010
Central Islip, New York



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A handwritten signature in black ink, appearing to read "Alan S. Trust".

Alan S. Trust
United States Bankruptcy Judge

Service List:

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Attorney for Plaintiff

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